

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MICHAEL BELL,)
Plaintiff,)
v.) Civil Action No. 13-115 Erie
MICHAEL HARLOW, and THE)
ATTORNEY GENERAL OF THE)
STATE OF PENNSYLVANIA,)
Defendants.)

MEMORANDUM ORDER

This Petition for Writ of Habeas Corpus was received by the Clerk of Court on April 24, 2013, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

On April 29, 2013, Magistrate Judge Baxter issued a Report and Recommendation recommending that the Petition for Writ of Habeas Corpus be denied and that a Certificate of Appealability be denied. ECF No. 3. Magistrate Judge Baxter explained that the instant petition for a writ of habeas corpus is a second or successive petition as this is Petitioner's fourth federal habeas corpus petition in this court.

Petitioner was allowed until May 16, 2013, to file objections. Petitioner timely filed Objections. After de novo review of the pleadings and documents in the case, together with the report and recommendation and objections thereto, we adopt Magistrate Judge Baxter's April 29, 2013 Report and Recommendation as the Opinion of the Court.

Accordingly, the following Order is hereby entered.

AND NOW, this 20 day of May, 2013, it is HEREBY ORDERED, ADJUDGED and DECREED that Petitioner's Petition for Writ of Habeas Corpus is hereby DENIED.

IT IS FURTHER ORDERED that a Certificate of Appealability is DENIED.

The Report and Recommendation dated April 29, 2013 (ECF No. 3) is adopted as the Opinion of the Court.

Maurice B. Cohill Jr.
Maurice B. Cohill, Jr.
Senior United States District Judge

cc: Counsel of Record

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DB-1647
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